

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

**IN RE THE APPLICATION OF
REPORTERS COMMITTEE FOR
FREEDOM OF THE PRESS TO UNSEAL
CRIMINAL PROSECUTION OF JULIAN
ASSANGE**

Misc. Action No. 18-mc-37

**NOTICE IN SUPPORT OF THE APPLICATION OF
THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS
TO UNSEAL CRIMINAL PROSECUTION OF JULIAN ASSANGE**

The Reporters Committee for Freedom of the Press (the “Reporters Committee”) respectfully submits notice of the indictment of Roger Jason Stone, Jr. dated January 24, 2019, filed in the U.S. District Court for the District of Columbia (the “Stone Indictment”), a true and correct copy of which is attached hereto as Exhibit A. The publicly available Stone Indictment is directly relevant to the Reporters Committee’s pending application for access to sealed court records—including the docket, motion to seal, and any criminal complaint, indictment, or other charging document—from the United States government’s pending criminal prosecution of WikiLeaks founder Julian Assange (the “Assange Prosecution”), as it further undercuts any argument on the part of the government for continued sealing.

The Stone Indictment charges Stone with seven counts—one count of obstruction of an official proceeding, five counts of making false statements, and one count of witness tampering—in connection with his communications with and about WikiLeaks and its founder, Assange, during the lead-up to the 2016 U.S. presidential election. As in the previously unsealed Mueller Indictment, *see* Suppl. Mem. of P. & A. in Support of the Appl. of the Reporters

Committee for Freedom of the Press to Unseal Criminal Prosecution of Julian Assange 3 (filed Dec. 3, 2018), ECF No. 11, the Stone Indictment identifies WikiLeaks—denominated “Organization 1”—as a conduit through which hacked communications, some of which were obtained from computer systems at the Democratic National Committee (“DNC”), were published. *See* Ex. A ¶ 3 (alleging that Organization 1/WikiLeaks “released tens of thousands of documents stolen from the DNC and the personal email account of the chairman of the U.S. presidential campaign of Hillary Clinton”).

Assange is referred to throughout the Stone Indictment as the “head of Organization 1.” *See id.* at ¶ 11 (noting that the “head of Organization 1 was located at all relevant times at the Ecuadorian Embassy in London, United Kingdom”); *see also, e.g., id.* at ¶¶ 13–15. For example, counts two through six of the Stone Indictment detail alleged false testimony given by Stone regarding, *inter alia*, “being in contact with the head of Organization 1.” *Id.* at ¶ 42–43.

The Stone Indictment alleges, among other things, that during the summer of 2016, Stone “spoke to senior Trump Campaign officials about [WikiLeaks] and information it might have had that would be damaging to the Clinton Campaign” and that Stone “was contacted by senior Trump Campaign officials to inquire about future releases by [WikiLeaks].” Ex. A ¶ 5. It further alleges that by in or around early August 2016, Stone was “claiming both publicly and privately to have communicated with [WikiLeaks].” *Id.* at ¶ 6. Allegations in the Stone Indictment are consistent with publicly available information. For example, as has been widely reported, during the lead-up to the 2016 U.S. presidential election, “Stone publicly cheered on the group WikiLeaks as it released hacked emails that embarrassed Democratic nominee Hillary Clinton” and “claimed before the election that he was in contact with WikiLeaks founder Julian Assange, whom [Stone] called ‘my hero.’” Devin Barrett, Rosalind S. Helderman, John Wagner

& Manuel Roig-Franzia, *Longtime Trump advisor Roger Stone indicted by special counsel in Russia investigation*, Wash. Post, Jan. 25, 2019, <https://perma.cc/HZ2B-L5YH>; *see also* Mark Mazzetti, Eileen Sullivan, & Maggie Haberman, *Indicting Roger Stone, Mueller Shows Link Between Trump Campaign and WikiLeaks*, N.Y. Times, Jan. 25, 2019, <https://nyti.ms/2HuTVKQ>.

The Reporters Committee respectfully requests that the Court take notice of the Stone Indictment in connection the Reporters Committee's pending application to unseal sealed court records from the Assange Prosecution.

Dated: January 25, 2019

Respectfully submitted,

/s/ Caitlin Vogus

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of January, 2019, the foregoing **NOTICE IN SUPPORT OF THE APPLICATION OF THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS TO UNSEAL CRIMINAL PROSECUTION OF JULIAN ASSANGE** was filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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And I hereby certify that I will mail the document by U.S. Mail to the following non-filing user:

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